

**CITY OF BRIDGEPORT
MISCELLANEOUS COMMITTEE**

MONDAY, OCTOBER 22, 2012

6:00 PM

ATTENDANCE: Council members: Co-chair; Vizzo-Paniccia, Co-chair; Ayala, Brannelly, Taylor-Moye

OTHER(s): City Attorney Anastasi
Council President McCarthy

Approval of Committee Meeting Minutes of October 1, 2012.

**** COUNCIL MEMBER BRANNELLY MOVED TO ACCEPT THE MINUTES**

**** COUNCIL MEMBER AYALA SECONDED**

**** MOTION PASSED UNANIMOUSLY**

152-11 Resolution to grant permission to Southwest Community Health Center Inc. and Baldwin Holdings, Inc. to construct two on-premises wall sign on the building at 46 Albion Street pursuant to City Ordinance 15.32.090.

Council member Brannelly gave an update that Southwest Community Health Center is building a new medical facility in conjunction with Bridgeport Housing Authority. She explained that the ordinance reads that signs can't be higher than 20 feet above ground, so they received permission from the Planning & Zoning Commission to exceed the height and the matter requires city council approval.

Co-chair Vizzo-Paniccia asked if the paperwork was available from the P&Z Commission. Council member Brannelly clarified that the matter pertained to this item request only and there wouldn't be any change to the ordinance for any requests that come forth in the future.

Co-chair Vizzo-Paniccia questioned whether or not they could consider the request without the city attorney being present. She had a concern that approval would have an effect later on.

Council member Brannelly read the regulation regarding on-premise sign heights.

Co-chair Vizzo-Paniccia stated that she would like to recess for the purpose of waiting for the city attorney's opinion.

Council member Brannelly read the resolution regarding details of the item. She pointed out that there will be two (2) on-premise wall signs at a height of 36.5 feet for one sign and 53.9 feet for the other sign. She clarified that approval would pertain strictly to this proposal only.

Co-chair Vizzo-Paniccia called for a five minute recess to call and confer with City Attorney Anastasia.

The committee recessed at 6:45 pm.

The committee reconvened at 7:00 pm.

In the interim, Council President McCarthy arrived at the meeting to explain that Council member Taylor-Moye should abstain from voting on the item, due to a conflict. However, he said she could be counted for a quorum.

City Attorney Anastasi arrived to the meeting.

Co-chair Vizzo-Paniccia stated that she had a concern about changing the ordinance for only one business; she said the purpose of conferring with City Attorney Anastasi was to obtain a legal opinion that it was alright to approve the item.

City Attorney Anastasi stated that ordinance 15-31-090 authorizes the city council to take certain action and it empowers them to apply conditions as necessary. He further relayed that the property abuts an elevated highway I-95 and they want to advertise that since I-95 is the gateway route to the City of Bridgeport, they need to justify that this presents a peculiar position, in terms of visibility. It was noted that the facility is situated within 400 feet of I-95 and Fairfield Avenue.

Attorney Anastasi asked how time sensitive the matter was. He also questioned if the committee could recess until the next city council meeting because there were some

legitimate questions that were triggered in terms of any possible implications to the city that he wanted to discuss with OPED and other city departments.

Co-chair Vizzo-Paniccia said she would also like him to check the state regulations, recalling the Arena Harbor Yard issue a few years ago.

Co-chair Vizzo-Paniccia reiterated that she wanted to ensure whether or not approval of the item would change the rules across the board.

City Attorney Anastasi asked if the signs would be lit. The response was that the signs would be backlit, but they wouldn't be flashing signs.

City Attorney Anastasi asked if the committee was agreeable to a recess until November 5, 2012; before the next city council meeting at 6:00 pm.

Council President McCarthy asked what that issue was with approving the item tonight. City Attorney Anastasi responded that the issue is the fact that the property abuts I-95 and a larger sign height is required. Council member Brannelly interjected to clarify that the "peculiar situation" is not being able to see the facility from Fairfield Avenue.

City Attorney Anastasi stated that he wanted to ensure that they weren't opening the door to future requests.

Council member Brannelly repeated that from Fairfield Avenue, you couldn't see the sign and the facility will be unidentifiable from the bus line. She was adamant that the ordinance clearly outlined the "peculiar condition".

Council President McCarthy stated that if the item was approved tonight, they would have until November 5 to discuss it further. And if a motion was made to table the item, the worse that could happen is that it would be tabled before the council. He emphasized that no precedent would be set by the approval of this particular request, and he reminded the committee that each item is approved case-by-case.

**** COUNCIL MEMBER BRANNELLY MOVED TO APPROVE**

**** COUNCIL MEMBER AYALA SECONDED**

**** MOTION PASSED WITH THREE VOTES IN FAVOR AND ONE *ABSTENTION
(COUNCIL MEMBER TAYLOR-MOYE)**

****=affiliation with Southwest Community Health Center Inc.***

***Consent calendar**

City Attorney Anastasi stated that he would follow up with the Office of Planning and Economic Development and make them aware of the circumstances.

ADJOURNED

**** COUNCIL MEMBER BRANNELLY MOVED TO ADJOURN
** COUNCIL MEMBER TAYLOR-MOYE SECONDED
** MOTION PASSED UNANIMOUSLY**

The meeting adjourned at 7:20 pm.

Respectfully submitted,

Diane Graham
Telesco Secretarial Services